

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, AUGUST 21, 1985

A regular meeting of the City Council of the City of Lodi was held beginning at 7:30 p.m. on Wednesday, August 21, 1985 in the City Hall Council Chambers.

ROLL CALL Present: Council Members - Olson, Pinkerton, Reid, and Snider

Absent: Council Members - Hinchman (Mayor)

Also Present: Assistant City Manager Glenn, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Dr. Wayne Kildall, Center of Hope.

PLEDGE The Pledge of Allegiance was led by Mayor Pro Tempore Reid.

PRESENTATIONS There were no presentations, proclamations, or awards presented at this meeting.

REPORTS OF THE
CITY MANAGER

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pinkerton, Olson second, approved the following actions hereinafter set forth.

cc 2(2)

CLAIMS Claims were approved in the amount of \$2,838,649.43.

APPROVAL OF
VARIOUS
SPECIFICATIONS

cc 20
cc 47
(2.1)(2)

Council approved the following specifications and authorized the advertising for bids thereon:

- a) Watthour Meters
- b) Padmount Transformers
- c) Pole-Mount Transformers
- d) Vacuum Circuit Breakers
- e) Installation of Electric Substructures, Mills Avenue, s/o Tokay Street
- f) Self-contained Turf Mower for Parks Department

AWARD BID TO
APPLY CLASS II
SLURRY SEAL
TO CITY STREETS

RES. NO. 85-109

cc 45a
12 a
cc 300

Assistant City Manager Glenn presented the following bids which had been received to apply Class II Slurry Seal to City Streets:

Continued August 21, 1985

CONTRACTOR	TOTAL S.F.	TOTAL COST
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California Pavement Maintenance Company	513,895	\$25,675.91
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Valley Slurry Seal Company	513,895	\$32,489.00
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On recommendation of the City Manager, Council adopted Resolution No. 85-109 awarding the bid to apply Class II Slurry Seal to City streets to California Pavement Maintenance Company, the low bidder, in the amount of \$25,675.91.

VARIOUS PROJECT
IMPROVEMENTS
ACCEPTED

9/14/85

Council accepted the following improvements and directed the Public Works Director to file a Notice of Completion thereon with the County Recorder's Office:

- a) Church Street Watermain (Phase I) Vine Street to 900' N/Vine Street
- b) Main Street Overlay, Lockeford Street to Lawrence Avenue

PURCHASE OF
PHOTOCOPIER
FOR HUTCHINS
STREET SQUARE
APPROVED

CC 12/85

Council approved the purchase of a photocopier for Hutchins Street Square, and approved the appropriation of \$3500 to cover the subject purchase.

LOT LINE
ADJUSTMENTS
APPROVED

RES.NO.85-110
AND 85-111

9/12/85
CC 300

Council adopted Resolution No. 85-110 approving the Lot Line Adjustment between Lot 55 and Lot 138, Lakeshore Village, Unit #3. The lot line adjustment will permit lot 138 to acquire the east 5 feet of Lot 55. Both lots have existing single-family houses. The lot line adjustment will not affect existing utilities on either lot and will not create building setbacks that are less than those required by the Zoning Ordinance.

Council adopted Resolution No. 85-111 approving the Lot Line Adjustment between Lots 9 and 10, Lakeshore Village, with certain conditions as follows:

1. That the public utility easements, as required by the various utility companies and the City of Lodi, be dedicated.
2. That the developer pay all appropriate fees in affect at time of map filing or issuance of building permit and enter into all applicable agreements;
3. That on-site fire protection be provided per Fire Department requirements;
4. That the Master Utility and Circulation Plan for the area be revised to show the location of utilities, driveways and all items that will be utilized in common by all the properties. A copy of this map must be provided to the City Community Development Department.

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5. That separate sewer and water services be provided to each parcel and;

6. That the developer provide evidence of proper cross-over agreements regarding access and maintenance of all joint facilities.

Council was apprised that this lot line adjustment will straighten out the lot line separating Lots 9 and 10 of Lakeshore Village. The lots are located in an area designated for office and professional uses. Both lots are currently vacant, although an office building on Lot 10 is currently under review by the City. The lot line adjustment will not adversely affect development of the lots in this subdivision.

APPROVAL OF
LELAND ACRES
SUBDIVISION
MAP AND
AGREEMENTS

3/24/86

Council was apprised that Lewis-Ehlers Property, a General Partnership, developers of Leland Acres, has furnished the City with the necessary agreements, improvement securities, fees and insurance for the proposed subdivision. This 2.5 acre subdivision is located on the southeast corner of Lodi Avenue and Lower Sacramento Road and contains eight single-family lots.

Council approved the final map and subdivision agreement for Leland Acres, Tract No. 1994, and authorized the City Clerk and City Manager to execute the subdivision agreements and maps on behalf of the City.

RESOLUTION
APPROVED FOR
APPLICATION
FOR FUNDING
FOR LODI LAKE
RESTROOMS UNDER
CALIFORNIA PARK
AND RECREATIONAL
FACILITIES ACT
OF 1984

RES.NO. 85-112

3/27/86
40
cc 300

Council was requested to reauthorize the application for funding for the Lodi Lake Restroom Rehabilitation project. This project consists of renovation and restoration of both restroom facilities at Lodi Lake and the installation of handicap access. This project was submitted for funding last year and was not approved due to a limitation of available funds. The project cost estimate is \$96,960 and would be 100% funded by the Grant.

Council adopted Resolution No. 85-112 approving application for funding for Lodi Lake Restrooms under the California Park and Recreational Facilities Act of 1984.

APPROVAL OF
AGREEMENT
BETWEEN CITY
AND EQUESTRIAN
ENTERPRISES FOR
USE OF STADIUM
FOR HORSE SHOW

cc 40
3/27/86

Council approved an Agreement between the City of Lodi and Equestrian Enterprises for the use of the Stadium for a horse

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show to be held August 26, 1985, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

RESOLUTION
FIXING TAX
RATE FOR
CITY OF LODI
FOR FISCAL
YEAR 1985-86
ADOPTED

RES.NO.85-115

Council was apprised that the City Council will need to set a tax rate for 1985-86 sufficient to return \$403,876 for the City of Lodi Bond Debt Service. On the basis of secured property values as reported to the City by San Joaquin County on August 14, 1985 of \$1,103,224,473 and a collection rate of 95% more or less, an imposition of \$.0355 per \$100 of value will generate the needed \$403,876.

Council adopted Resolution No. 85-115 fixing the tax rate for the City of Lodi for Fiscal Year 1985-86 as heretofore set forth.

ITEMS REMOVED
FROM CONSENT
CALENDAR AND
PLACED ON
REGULAR CALENDAR

With the concurrence of the Council, the following items were removed from the Consent Calendar and placed on the Regular Calendar:

Item e-1-H - Award - Hutchins Street Square Girls' Gym Restrooms

Item e-1-I - Award - Lodi Avenue Railroad Crossing Improvements

Item e-1-S - Approval of Agreement between San Joaquin County and the City of Lodi for the conduct of the Special Election to be held on November 5, 1985.

Item e-1-T - Approval of Agreement for removal and dismantling of abandoned or inoperative vehicles.

PUBLIC HEARINGS

PUBLIC HEARING
FOR HEARING ALL
OBJECTIONS TO
THE PROPOSED
REMOVAL OF WEEDS,
RUBBISH, REFUSE
AND DIRT ON
PARCEL LOCATED
AT 205 FLORA
AVENUE, LODI, CA

Notice thereof having been published and posted in accordance with law and affidavits of publication and posting being on file in the office of the City Clerk, Mayor Pro Tempore Reid called for the public hearing to hear all objections to the proposed removal of weeds, rubbish, refuse and dirt on a parcel located at 205 Flora Avenue, Lodi.

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City Clerk Reinche reported that in checking into information regarding the property owner, it was determined that Mr. Clarence Endicott, the property owner listed on the last assessors rolls, has passed away and that his wife is presently in a convalescent hospital. The estate is presently under the control of the Public Conservators Office in Stockton. In a telephone conversation with that office they advised that if the \$250.00 bill for the removal of weeds on the subject property was sent to their office, it would be paid from the trust account for the Endicott estate.

There were no persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

Following discussion, with questions being directed to the City Clerk and the City Attorney, Council, on motion of Council Member Snider, Olson second, overruled objections, ordered the abatement, terminated the proceedings at this point, and directed the City Clerk to report to the Council at the next meeting as to whether or not the Conservator of the property owners estate has paid the \$250.00 charges incurred for the abatement of weeds on the subject parcel.

PLANNING COMMISSION

ITEMS OF INTEREST

The following report was given regarding the Planning Commission Meeting of August 12, 1985.

cc 35

The Planning Commission -

1. Conditionally approved the request of Valley Cinemas, Inc. for a Use Permit for an addition of two movie screens to be added to an existing theater at 2470 West Lodi Avenue, in an area zoned C-S, Commercial Shopping Center.

Certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.

2. Approved the request of Fred Smith, Jr. for a Use Permit for a security apartment at a mini-storage unit facility, located at 815 Black Diamond Way, in an area zoned M-2, Heavy Industrial.

3. Directed City Staff to arrange for a joint City Council/Planning Commission work session to study the effects of apartment development on the east side of Lodi. The work session will be used to discuss whether there is a need for changes to the City's multiple-family density standards. The Planning Commission also extended an invitation to the members of the Site Plan and Architectural Review Committee to participate in this session.

COMMUNICATIONS (CITY CLERK)

NONPARTISAN ELECTIONS - ASSEMBLY CONSTITUTIONAL AMENDMENT (ACA 7)

cc 18
26

Information was presented to the Council from City Manager Peterson regarding Assembly Constitutional Amendment (ACA 7) regarding nonpartisan elections. Council was informed that in order for the voters to have the chance to vote on this important issue in the June 1986 election, two actions must occur:

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- 1) passage by the Assembly no later than August 30, 1985
- 2) confirmation by the Senate no later than January 8, 1986

Council, on motion of Council Member Olson, Reid second, supported the placing of ACA 7 (Nonpartisan Elections) on the June 1986 ballot and directed the City Clerk to forward letters indicating this action to representatives in the State Legislature.

ABC LICENSE APPLICATION

City Clerk Reimche presented the following application for ABC License:

211 Club
211 South Cherokee Lane, Lodi,
Rosemary H. Martinez
On Sale General Public Premise
Person to Person Transfer

PUC APPLICATIONS

City Clerk Reimche presented a letter from Greyhound Lines, Inc. advising that by Application No. 85-07-0421, filed July 15, 1985 with the California Public Utilities Commission, Greyhound Lines, Inc. requested approval to increase its passenger bus fares.

APPOINTMENT TO SAN JOAQUIN COUNTY ECONOMIC DEVELOPMENT ASSOCIATION

On motion of Council Member Snider, Olson second, Council confirmed the appointment by Mayor Hinchman of Mike Bradley to the San Joaquin County Economic Development Association to fill the unexpired term of Council Member Evelyn Olson, which term expires 6/30/86.

COMMENTS BY CITY COUNCIL MEMBERS

CONGRATULATIONS ON KUOP BENEFIT JAZZ FESTIVAL

Council Member Olson reported on the outstanding jazz festival held at Jack Chappell's Swim Club recently which was a benefit for KUOP. Mrs. Olson expressed congratulations to Mr. Chappell for hosting this most delightful event.

REPORT REGARDING VOTING BY SENATE JUDICIARY COMMITTEE ON AB 200

Council Member Pinkerton gave a report on a recent newspaper article he had read concerning AB 200 (an act to add section 847 to the civil code relating to liability) and the actions of members of the Senate Judiciary Committee as it relates to this bill.

Following discussion, Council, on motion of Council Member Pinkerton, Olson second, directed the City Clerk to check with FPPC to ascertain the amount of campaign contributions that were received by members of this Committee from the Trial Lawyers Association.

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Further, the City Attorney was directed to write a "scathing" letter, on behalf of the Council, to the members of the Senate Judiciary Committee setting forth the facts set out in this newspaper article and urging their vote for justice.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

There were no persons in the audience wishing to address the Council under this segment of the agenda.

REPORTS OF THE
CITY MANAGER

REGULAR CALENDAR

AWARD - CONTRACT FOR
HUTCHINS STREET SQUARE
GIRLS' GYM RESTROOM
AND FIRE PROTECTION

RES. NO. 85-108

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The following bids for the "Hutchins Street Square Girls' Gym Restroom and Fire Protection" project were presented for Council's perusal:

BIDDER	BID
Diede Construction	\$62,931
Clark and McGrath	\$66,530
Horton Construction	\$72,808
RHS Construction	\$75,070
Lane Allen	\$94,953

Council was apprised that this project consists of the construction of new restrooms in the girls' gym and the completion of the main fire lane through the project. Included are the installation of two fire hydrants and a tie to the existing 10" main in Walnut Street.

On motion of Council Member Olson, Reid second, Council adopted Resolution No. 85-108 awarding the contract for "Hutchins Street Square Girls' Gym Restroom and Fire Protection" to Diede Construction, the low bidder, in the amount of \$62,931, and approved the appropriation of an additional \$54,000 from the Hutchins Street Square Capital Account (120.1) to cover the cost of the project.

LODI AVENUE IMPROVEMENTS -
SCHOOL TO MAIN

2450
151
1212

Council was apprised that only one bid had been received for this project. The bid was from C. C. Wood Co. in the amount of \$77,766.00. The engineers estimate for the project was \$57,127.80.

On recommendation of Staff, Council, on motion of Council Member Olson, Snider second, rejected the bids received for "Lodi Avenue Improvements, School to Main" and authorized the re-advertising for the project in early 1986.

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NOVEMBER 5, 1985
SPECIAL ELECTION

RES. NO. 85-113

City Clerk Reimche apprised the Council that she had been advised by the San Joaquin County Registrar of Voters that there will be no contest in the November election for the four seats on the Lodi Unified School District Board of Trustees as only the incumbents filed for the openings with no challengers filing by the August 9, 1985 deadline. Mrs. Reimche was further advised by the Registrar of Voters that in the San Joaquin Delta Community College contest in area 4, incumbent Ann Cerney will be challenged by Carl Burton.

The City Clerk presented an Agreement with the County of San Joaquin for the conduct of the Special Election to be held on November 5, 1985 which sets forth a cost not to exceed \$.85 per registered voter in the event of consolidation. In view of the fact that there is a contest for the San Joaquin Delta Community College area 4 trustee seat, it was recommended that the City consolidate with the County of San Joaquin for this election.

Following discussion, on motion of Council Member Snider, Olson second, Council adopted Resolution No. 85-113 approving the Agreement between the City and San Joaquin County for the conduct of the Special Election to be held on November 5, 1985 and approved a budget for the subject election in the amount of \$18,000 which funds are to be appropriated from the Operating Reserve.

AGREEMENT FOR
REMOVAL AND
DISMANTLING OF
ABANDONED OR
INOPERATIVE VEHICLES

Assistant City Manager Glenn reported to Council that since the preparation of the Council Agenda and packet that he had received a call from a local automobile company indicating its interest in the contract for removing and dismantling of abandoned or inoperative vehicles within the City of Lodi.

Following discussion, on motion of Mayor Pro Tempore Reid, Olson second, Council directed Staff to solicit proposals for the removal and dismantling of abandoned or inoperative vehicles and to submit a report to Council on the proposals received at the earliest convenient time.

ACCIDENT REPORT
RE INTERSECTION
OF STOCKTON AND PINE

Pursuant to a request from Council Member Pinkerton, a report was presented by Staff regarding accidents that have occurred at Stockton Street and Pine Street following the establishing of four way stops at that intersection six months ago. Council was apprised that three accidents have occurred in the five-month period after installation of four way-stop signs. Additional information regarding the intersection was presented by Staff, who then responded to questions as were posed by Council. Staff indicated that it was felt that in using a five-month reporting period, it is too early to make a definite statement about overall accident reduction and recommended that an additional survey be made after a full 12 months.

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Following additional discussion, on motion of Council Member Snider, Olson second, Staff was directed to bring back to Council at an appropriate time, a similar report covering a twelve-month period.

CLOSED SESSION

Mayor Hinchman adjourned the meeting to a Closed Session of the Council at approximately 8:05 pm, and the Council reconvened at approximately 8:15 pm. The Closed Session was held regarding labor relations matters.

LABOR RELATIONS

RES. NO. 85-114

Following introduction of the matter by Assistant City Manager Glenn, and Council discussion, Council, on motion of Council Member Olson, Reid second, received for filing "Addendum to Memorandum of Understanding Covering Period July 1, 1985 - June 30, 1988 Between City of Lodi and IBEW Local 1245, Maintenance and Operators Unit and General Services Unit".

Further, Council, on motion of Council Member Olson, Reid second, adopted Resolution No. 85-114 - "Resolution Modifying Resolution 3344" as it pertains to the decertification of Established Units, which section will now read as follows:

B. Decertification of Established Unit

- (1) A petition for decertification alleging that an employee organization granted formal recognition is no longer the majority representative of the employees in an appropriate unit may be filed with the Municipal Employee Relations Officer only during the month of November of each year following the first full year of formal recognition, except that such date may be changed to a period 90 to 60 days before the expiration of a current Memorandum of Understanding if mutually agreed to by both parties.

ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Reid adjourned the meeting at approximately 8:25 pm.

ATTEST:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk